
S-4445
GUSTAFSON RESERVE MINOR SUBDIVISION
Minor-Sketch Plan

STAFF REPORT
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioners, who are also the property owners, Janet and Alan Kemper, represented by Todd Starr, PLS, are seeking primary approval of a three lot subdivision on 9.026 acres, located on the east side of CR 450 E, approximately 1/4 mile south of CR 700 S, in Wea 36 (NE) 22-4.

AREA ZONING PATTERNS:

The site is zoned A, Agricultural as is all surrounding land. The remnant of the Bren Bella PD is located farther to the northwest; to the southwest is Molter Rural Estate Subdivision. Although no Flood Plain zoning currently exists onsite or nearby, the Franklin Resor Regulated Drain runs through the southeast corner of the subdivision and this area is shown as a wetland on the National Wetlands Inventory. In addition to showing the required 75' legal drain easement, certifying a new Flood Plain zone for this area will be a requirement of the final plat.

The parent tract is 27 acres and has had one lot created from it in the past (Gustafson Minor Subdivision). This three-lot minor subdivision will use all remaining development rights. Around 17 acres will be leftover within the parent tract.

AREA LAND USE PATTERNS:

The three proposed lots are unimproved, sloped and two out of the three lots have several trees. The heavily wooded area on the south side of the legal ditch has a couple of houses; the majority of the area is farmed.

TRAFFIC AND TRANSPORTATION:

CR 450 E is classified as a rural local road by the adopted *County Thoroughfare Plan*. The required 30' half-width right-of-way has been shown on the sketch plan. A "no vehicular access" statement has been shown along the frontage of Lot 1, so that all three lots will need to use the 40' wide ingress-egress easement that runs the length of the "pole" portion of the two flag lots for access.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The County Surveyor's Office is requiring a Rule 5 Submittal and additional information regarding drainage onsite. A letter from the County Health Department states that, "all three lots have soil limitations such as slow permeability, limiting till layers and seasonal high water table. All three lots have areas suitable for shallow trench subsurface systems with perimeter drains to lower water tables. These lots may also require pump assisted distribution to allow for uniform application of the effluent due to soil limitations. All three

lots will require tile outlets to be made available at a minimum depth of 60 inches for perimeter drains. A drainage easement is planned and the adjacent County Legal Drain [would] be used as the outlet with approval from the Surveyor's Office." A 30' wide tile drainage easement has been shown along the west side of the subdivision as well as in the 40' wide "flag poles" of the two flag lots.

CONFORMANCE WITH UZO REQUIREMENTS:

The 100-year base flood elevation and required 25' building setback have been shown on the sketch plan. There is sufficient area to build and meet ordinance standards outside of the to-be-certified Flood Plain zone. Lot area and lot widths meet all ordinance requirements.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 450 E right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The Regulatory Flood Elevation and Boundary for the Franklin Resor Regulated Drain Flood Plain shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-27-17.
6. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM including approval of the perimeter drainage outlet to the regulated drain.
7. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

8. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.